

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant(s): | L. LEVY et al. | Examiner | Kevin S. Mai |
| Serial No. | 10/798,698 | Group Art Unit | 4121 |
| Filed | March 10, 2004 | Docket No. | P18439 |
| TITLE | REMOTE DEVICE PROBING FOR FAILURE DETECTION | | |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Kevin S. Mai of the U.S. Patent and Trademark Office on April 24, 2009.

/David Victor/

David W. Victor

AMENDMENT

This Amendment is submitted in response to a non-final office action in the above case dated December 24, 2008 ("OA3"). The Examiner said that a post-response interview would be granted if there were any questions as to the patentability of the claims. In OA3, the Examiner rejected claim 1 as indefinite (35 U.S.C. §112, par. 2) and rejected all the claims as obvious (35 U.S.C. §102) over cited art. Applicants amend claim 1 to overcome the Section 112 rejection and traverse the prior art rejections. Applicants submit that all pending claims 1, 2, 4-10, 12-14, 16-21, and 23-27 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 8.